

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARVIN DWAYNE MOSBY,)
Petitioner,) 3:13-cv-00605-LRH-WGC
vs.) ORDER
RENEE BAKER, *et al.*,)
Respondents.)
/

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the petition. Petitioner must either submit the \$5.00 filing fee for habeas petitions or an application to proceed *in forma pauperis*.

IT IS THEREFORE ORDERED that petitioner **SHALL**, within **30 days** from the date of entry of this order, do one of the following: (1) pay the \$5 filing fee, or (2) file a fully completed application to proceed *in forma pauperis*, on the court-approved form, including a financial certificate signed by an authorized prison or jail officer.

IT IS FURTHER ORDERED that if petitioner does not timely comply with this order, dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk shall **SEND** petitioner the approved form for an application to proceed *in forma pauperis* by a prisoner and instructions for the same.

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1 **IT IS FURTHER ORDERED** that the Clerk shall retain the habeas petition, but shall not
2 file it at this time.

3 Dated this 21st day of November, 2013.

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7 LARRY R. HICKS
8 UNITED STATES DISTRICT JUDGE

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